

**Housing and Property Chamber**  
**First-tier Tribunal for Scotland**



**First-tier Tribunal for Scotland (Housing and Property Chamber)**

**Repairing Standard Enforcement Order (RSEO)**

**Housing (Scotland) Act 2006 Section 24(/1) ('the Act')**

**Chamber Ref: FTS/HPC/RP/18/1221**

**Property at 3/2, 15 Gallowflat Street, Rutherglen, Glasgow G73 3DX**

**Land Register Title Number LAN 50093**

**('The Property')**

**The Parties:**

**Mr Stephen Murphy, 3/2, 15 Gallowflat Street, Rutherglen, Glasgow G73 3FX**

**('the Tenant')**

**Mr Alasdair Laurenson and Mr Robert Laurenson, c/o Slater Hogg and Howison, 10 Brouster Gate,  
East KILBRIDE G74 1LD**

**('the Landlord')**

Whereas in terms of their Decision dated 7<sup>th</sup> September 2018, the First-tier Tribunal for Scotland (Housing and Property Chamber) ('the tribunal') determined that the Landlord has failed to comply with the duty imposed by Section 14(1)(b) of the Housing (Scotland) Act 2006 ('the Act') and in particular the Landlord has failed to ensure that the Landlord has failed to ensure that the property meets the Repairing Standard with reference to the following provisions of section 13 of the Act, as amended:-

- (c) The installations in the house; and
- (c) Any fixtures, fittings and appliances.

The tribunal now requires the Landlord to carry out such work as is necessary for the purpose of ensuring that the Property meets the Repairing Standard and that any damage caused by the carrying out of any work in terms of this Order is made good.

In particular the tribunal requires the Landlord:

- (i) To securely attach the kitchen unit and drainer to the kitchen unit;
- (ii) To repair or replace the kitchen strip light;
- (iii) To install additional heating or upgrade the current heating system within the living room to provide adequate heating therein; and
- (iv) To instruct a window conditioning specialist report to comment on condensation between the window panes within the Property;
- (v) To repair or replace all windows in accordance with the aforesaid specialist report.

The tribunal order that the works specified in this Order must be carried out and completed **within the period of two months** from the date of service of this Notice.

**A Landlord, Tenant or Third Party applicant aggrieved by the Decision of the tribunal may seek permission to appeal from the First-tier on a point of law only within 30 days of the date the Decision was sent to them.**

Where such an appeal is made, the effect of the Decision and of any Order is suspended until the Appeal is abandoned or finally determined by the Upper Tribunal, and where the Appeal is abandoned or finally determined by upholding the Decision, the Decision and any Order will be treated as having effect from the day on which the Appeal is abandoned or so determined.

**Please note that in terms of Section 28(1) of the Act, a Landlord who, without reasonable excuse, fails to comply with a RSEO commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale.**

**A Landlord (and that includes any Landlord's successor in title) also commits an offence if he or she enters into a tenancy or occupancy arrangement in relation to a house at any time during which a RSEO has effect in relation to the house.**

**This is all in terms of Section 28(5) of the Act.**

In witness whereof these presents type written on this and the preceding page are executed by Joseph Christopher Hughes, Solicitor Advocate, Legal Member and Chairperson of the tribunal at Glasgow on 7<sup>th</sup> September 2018 in the presence of the undernoted witness :-

Julie Perrie

Joseph Hughes

\*\*\*\*\* Witness

Chairperson

Julie Perrie, Secretary,

1028 Tollcross Road

Glasgow G32 8UW